

REMARKS

Claims 1-14 and 27-38 are currently pending in this application and stand rejected. In particular, in an Office Action dated August 9, 2006, Claims 1-14 and 27-38 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,569,345 issued to Kenyon (hereinafter "Kenyon"). Additionally, Claims 1, 4-11, 13, 14, 27, 28 and 30-37 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,674,510 to Sneider (hereinafter "Sneider").

In response to the Office Action, applicant has amended Claims 1, 2, and 27-30 as set forth above and respectfully submits that Claims 1-12 and 27-36 are now in condition for allowance. Claims 13, 14, 37, and 38 have been canceled.

Rejection under 35 U.S.C. § 102(b) in view of Kenyon

As noted above, Claims 1-14 and 27-38 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kenyon. The Office Action asserts that Kenyon discloses a garment pad 10 that is dome shaped in a two-dimensional manner wherein the dome is the protruding area of the pad and wherein the pad would provide shapeliness by being adhered about the breast to provide uplifting support.

Applicant submits that Kenyon fails to disclose a garment pad kit which includes the garment pad and the adhesive which is *to be applied by the user to the garment pad*, as set forth in amended Claim 1. Rather, Kenyon discloses an iron-on patch including a heat-fusible material 11 bonded to the back of the patch. In addition, as admitted by the Office Action, Kenyon discloses a two-dimensionally dome shaped body portion, not a *three-dimensionally* dome shaped body portion. Thus, applicant submits that Claim 1, in its current amended form, is patentable over Kenyon.

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Amended Claim 27 similarly recites a three-dimensionally dome shaped body portion. Thus, for at least the same reasons set forth above with respect to Claim 1, applicant respectfully submits that Claim 27 is patentable in view of Kenyon.

Claims 2-12 depend from Claim 1; therefore, Claims 2-12 include all the features of Claim 1. Claims 28-36 depend from Claim 27; therefore, Claims 28-36 include all the features of Claim 27. Thus, for at least the same reasons set forth above with respect to Claims 1 and 27, applicant respectfully submits that Claims 2-12 and 28-36 are patentable over Kenyon.

Rejection under 35 U.S.C. § 102(b) in view of Kenyon

As noted above, Claims 1, 4-11, 13, 14, 27, 28, and 30-37 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sneider. The Office Action asserts that Sneider discloses a dome shaped pad that adhesively (18) attaches to the wearer's garment and which provides shapeliness when attached thereto.

With respect to Claim 1, Sneider does not disclose a garment pad kit which includes the garment pad and the adhesive which is *to be applied by the user to the garment pad*. Rather, Sneider discloses a pad having a moisture-impervious layer 10 with a self-sticking adhesive 13 covering at least a portion of the layer 10.

Furthermore, Sneider does not disclose a *reusable* body portion of a garment pad as set forth in amended Claim 27. Rather Sneider discloses a disposable sanitary liner for a garment.

Based on at least the foregoing, applicant respectfully submits that Sneider does not anticipate Claims 1 and 27. Thus, Sneider similarly does not anticipate dependent Claims 4-11, 28, and 30-36.

CONCLUSION

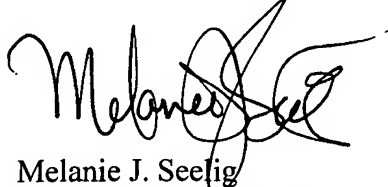
In view of the above, applicant submits that each of Claims 1 through 12 and 27 through 36 is now in condition for allowance. Hence, reconsideration and passage of the

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application to issuance is respectfully requested. Should the Examiner have any remaining issues, she is invited to telephone the undersigned attorney, who will endeavor to resolve such issues.

Respectfully submitted,

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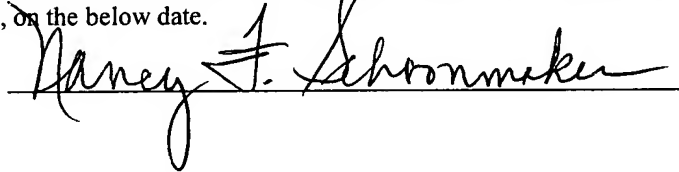


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